

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

) Criminal No. 3:22-CR- 400 (DNH)

v.

) **Indictment**

PHILIP KOESTER,

) Violations: 18 U.S.C. § 2252A(a)(1)
[Transportation of Child
Pornography]

Defendant.

) 18 U.S.C. § 2252A(a)(5)(B)
[Possession of Child
Pornography]

) 2 Counts & Forfeiture Allegation

) County of Offense: Broome

U.S. DISTRICT COURT – N.D. OF N.Y.

FILED

Oct 27 - 2022

John M. Domurad, Clerk

THE GRAND JURY CHARGES:

COUNT 1
[Transportation of Child Pornography]

On or about March 30, 2011, in Broome County in the Northern District of New York,
and elsewhere, the defendant,

PHILIP KOESTER,

did knowingly transport child pornography using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, in that, by use of the Internet, the defendant transported numerous graphic image and video files depicting one or more minors engaged in sexually explicit conduct into an online network called Freenet, in violation of Title 18, United States Code, Section 2252A(a)(1).

COUNT 2
[Possession of Child Pornography]

On or about January 13, 2016, in Broome County in the Northern District of New York,
and elsewhere, the defendant,

PHILIP KOESTER,

did knowingly possess material that contained one or more images of child pornography that had been transported using a means and facility of interstate and foreign commerce, and in and affecting such commerce by any means, including by computer, and that was produced using materials that had been shipped and transported in and affecting such commerce by any means, including by computer, that is, a home built personal computer containing a Western Digital hard drive, model WD6401AALS, serial number WMATV7402865, which contained numerous graphic image and video files of minors engaged in sexually explicit conduct in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

That violation involved image and video files of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

FORFEITURE ALLEGATION

The allegations contained in Counts 1 and 2 of this Indictment are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253(a)(3), upon conviction of the charges alleged in Counts 1 and 2, the defendant, **PHILIP KOESTER**, shall forfeit to the United States of America any property, real and personal, used and intended to be used to commit and to promote the commission of the offense. The property subject to forfeiture includes, but is not limited to, the following:

- a. One (1) home built personal computer containing a Western Digital hard drive model WD6401AALS, serial number WMATV7402865.

Dated: October 27, 2022

A TRUE BILL, *NAME REDACTED*

Grand Jury Foreperson

CARLA B. FREEDMAN
United States Attorney

By:

Adrian S. LaRochelle
Adrian S. LaRochelle
Assistant United States Attorney
Bar Roll No. 701266